

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
FERNANDO LOPEZ, ADOLFO LOPEZ,
VENANCIO GALINDO and GIL SANTIAGO,

Plaintiffs,

- against -

FLOR DE MAYO, INC., PHILLIP CHU,
DENNIS CHU and JOSE CHU,

Defendants.
----- X

No. 07 Civ. 6526 (AJP)

**NOTICE OF MOTION TO
AMEND COMPLAINT**

PLEASE TAKE NOTICE that upon the annexed declaration of Matteo J. Rosselli, dated February 1, 2008, and upon all other papers and proceedings heretofore had herein, Plaintiffs will move this Court, before the Honorable Andrew J. Peck, United States Magistrate Judge, for an order pursuant to Rules 15 and 21 of the Federal Rules of Civil Procedure granting Plaintiffs leave to file an amended complaint, and for such further relief as may be just and proper. The grounds for this motion are set forth in Plaintiffs' Memorandum of Law in Support of Their Motion to Amend the Complaint, dated February 1, 2008.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's individual practices, papers in opposition to this motion must be served on or before February 15, 2008, and reply papers in support of this motion must be served on or before February 22, 2008.

Dated: New York, New York
February 1, 2008

DAVIS POLK & WARDWELL

By: /s/ Matteo J. Rosselli

Matteo J. Rosselli (MR-6422)
Jonathan L. Adler (JA-7424)
William R. Miller (WM-9975)
450 Lexington Avenue
New York, NY 10017
(212) 450-4921

David A. Colodny (DC-4234)
URBAN JUSTICE CENTER
123 William Street, 16th Floor
New York, NY 10038
(646) 459-3006

Attorneys for Plaintiffs

To: Robert V. Ferrari, Esq.
630 Third Avenue, 16th Floor
New York, NY 10017
(212) 972-7040